

Attorney Docket No.  
32149631.4



10-12-01

U.S. Patent Application No.  
09/911,079

Receipt  
JTB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Huang et al

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Group Art No.: 2661

Serial No.: 09/911,079

Examiner: Not Yet Assigned

Filed: July 20, 2001

Atty. Docket No.: 32149631.4

For: Broadband Ethernet Data Flow  
Control

Office of Initial Patent Examination  
Customer Service Center  
Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Commissioner:

Attached is a copy of the official Filing Receipt received from the United States Patent and Trademark Office in the above application for which issuance of a corrected filing receipt is respectfully requested.

An error was made at the time of filing stating that the application should be awarded "small entity" status. Applicants respectfully request that the application be amended to reflect large entity status. Applicants have paid the large entity filing fee in the Response to Notice to File Missing parts of Nonprovisional Application concurrently filed herewith.

Additionally, Applicants respectfully request that the Attorney Docket Number be amended to reflect "32149631.4".

Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 32149631.4.

Attorney Docket No.  
32149631.4

U.S. Patent Application No.  
09/911,079

Respectfully submitted,



---

Brian C. McCormack  
Registration No. 36,601

Date: October 11, 2001  
BAKER & McKENZIE  
2001 Ross Avenue  
2300 Trammell Crow Center  
Dallas, Texas 75201  
Telephone: (214) 978-3000  
Facsimile: (214) 978-3099



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Huang et al

Serial No.: 09/911,079

Filed: July 20, 2001

For: Broadband Ethernet Data  
Flow Control

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Group Art No.: 2661

Examiner: Not Yet Assigned

Atty. Docket No.: 32149631.4

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

EXPRESS MAIL MAILING LABEL NO.: EL698812679US

DATE OF DEPOSIT: 10-11-01

I, Christi Pingleton, hereby certify that this correspondence is being deposited on the date shown above with sufficient postage with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Christi Pingleton  
Signature

10-11-01  
Date

Commissioner of Patents  
Washington, D.C. 20231  
Attn: Initial Patent Examination Division

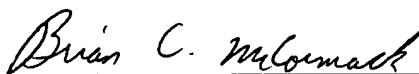
Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed September 6, 2001 enclosed are the following:

1. A copy of the "Notice to File Missing Parts of Nonprovisional Application";
2. A check in the amount of \$840 to accommodate the filing fee and surcharge for a large entity; and
3. Request to Correct Filing Receipt.

An error was made at the time of filing stating that the application should be awarded "small entity" status. Applicants respectfully request that the application be amended to reflect large entity status. The fee enclosed reflects the large entity status. Applicants have requested that the filing receipt be amended to reflect the large entity status and enclose a Request to Correct Filing Receipt accordingly.

Respectfully submitted,



Brian C. McCormack

Reg. No. 36,601

ATTORNEY FOR APPLICANTS

Date: October 11, 2001  
BAKER & MCKENZIE  
2001 Ross Avenue, Suite 2300  
Dallas, TX 75201  
214/978-3043  
214/978-3099 fax



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,079	07/20/2001	Ying Bo Huang	32149361.1A

CONFIRMATION NO. 2918

## FORMALITIES LETTER



\*OC000000006520111\*

BRIAN C. McCORMACK  
BAKER & MCKENZIE  
SUITE 2300  
2001 ROSS AVENUE  
DALLAS, TX 75201

12/13/2001 EEKUBAY1 00000008 09911079

01 FC:201 355.00 OP  
02 FC:205 65.00 OP

Date Mailed: 09/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/10/2001 SHINASS1 00000001 130480 09911079

FILED UNDER 37 CFR 1.53(b)

01 FC:105 430.00 OP  
02 FC:101 30.00 CR 740.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 420.

Adjustment date: 12/13/2001 EEKUBAY1  
10/18/2001 SHINASS1 00000001 130480 09911079  
01 FC:105 -130.00 OP  
02 FC:101 30.00 CR -740.00 OP

A copy of this notice MUST be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/16/2001 SHINASS1 00000053 130480 09911079  
01 FC:101 740.00 OP  
02 FC:105 30.00 CR 100.00 OP

Repln. Ref: 12/13/2001 EEKUBAY1 0010505600  
Date: 130480 Name/Number: 09911079  
FC: 704 \$420.00 CR

Adjustment date: 10/18/2001 SHINASS1 00000053 130480 09911079  
10/16/2001 SHINASS1 00000053 130480 09911079  
01 FC:101 -740.00 OP  
02 FC:105 30.00 CR -100.00 OP



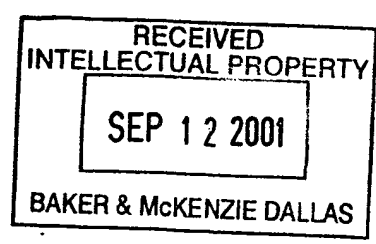
**DOCKETED**  
**CA**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/911,079 ✓	07/20/2001 ✓	2661	0.00	32149361.1A ✓	2	8	1

BRIAN C. McCORMACK  
BAKER & MCKENZIE  
SUITE 2300 ✓  
2001 ROSS AVENUE  
DALLAS, TX 75201



**CONFIRMATION NO. 2918** ✓  
**FILING RECEIPT**  
  
\*OC00000006520110\*

Date Mailed: 09/06/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Ying Bo Huang, Shanghai, CHINA; ✓  
Wei Gao, Shanghai, CHINA; ✓  
Xiang Wang, Shanghai, CHINA; ✓  
Hanzhong Gao, Germantown, MD; ✓

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

CHINA 00 1 19489.5 07/20/2000 ✓

If Required, Foreign Filing License Granted 09/05/2001 ✓

**Projected Publication Date:** To Be Determined - pending completion of Missing Parts

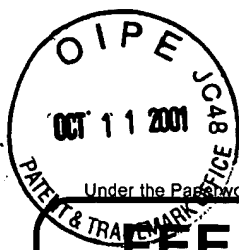
**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Broadband Ethernet data flow control ✓



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 840.00

**Complete if Known**

Application Number	09/911,079
Filing Date	07/20/2001
First Named Inventor	Huang
Examiner Name	Not Yet Assigned
Group Art Unit	2661
Attorney Docket No.	32149631.4

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	130480
Deposit Account Name	BAKER & MCKENZIE

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 710.00

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

**SUBMITTED BY**

Name (Print/Type)	Brian C. McCormack	Registration No. (Attorney/Agent)	36,601	Telephone	214/978-3000
Signature	<i>Brian C. McCormack</i>	Date	10/11/2001		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents Washington DC 20231



Please type a plus sign (+) inside this box → ☒

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/911,079	
	Filing Date	07/20/2001	
	First Named Inventor	Huang	
	Group Art Unit	2661	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	32149631.4

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Request to Correct Filing Receipt Check for filing fee and surcharge Postcard acknowledgement</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian C. McCormack BAKER & MCKENZIE
Signature	<i>Brian C. McCormack</i>
Date	10/11/2001

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as indicated on the mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>10/11/2001</b>		
Typed or printed name	Christi Pingleton	
Signature	<i>Christi Pingleton</i>	Date <b>10/11/2001</b>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.